

IN THE SUPREME COURT OF THE STATE OF MONTANA

ORIGINAL

No. DA 09-0603

STATE OF MONTANA,

Plaintiff and Appellee,

v.

WILLIAM A. PARRISH,

Defendant and Appellant.

FILED

DEC 09 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME
AND AFFIDAVIT IN SUPPORT**

COMES NOW, Taryn Stampfl Hart, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until February 23, 2010, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. In support of this motion, undersigned counsel respectfully submits the following affidavit.

Respectfully submitted this 3rd day of December, 2009.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
139 N. Last Chance Gulch
P.O. Box 200145
Helena, MT 59620-0145

By: 

TARYN STAMPFL HART
Assistant Appellate Defender

STATE OF MONTANA)
 : ss.

County of Lewis and Clark)

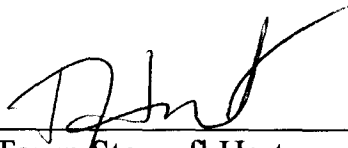
I, Taryn Stampfl Hart, being first duly sworn upon my oath, depose and state as follows:

1. I am a licensed, practicing attorney in the State of Montana, and am currently employed by the Office of State Public Defender, Appellate Defender Office, as an Assistant Appellate Defender.
2. In my capacity as Assistant Appellate Defender, I have been assigned to handle the above-entitled matter.
3. The Appellant's opening brief is currently due December 24, 2009.
4. Counsel has several other appellate briefs that counsel must file before the present matter.
5. Specifically, counsel is writing a reply brief in DA 09-0091, which is due on December 18, 2009, an opening brief in DA 09-0253, which is due on December 26, 2009, an opening brief in DA 09-0464, which counsel has requested be extended to January 13, 2009 and an opening brief in DA 09-0552, which counsel has requested be extended to January 20, 2009.
6. In light of counsel's current commitments, counsel cannot complete the briefing and consult with the client in time to file the brief in a timely matter.

7. Counsel will work diligently to complete the matter in the time requested.

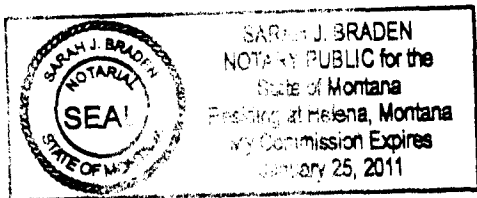
8. Opposing counsel has been contacted concerning this motion and does not object.

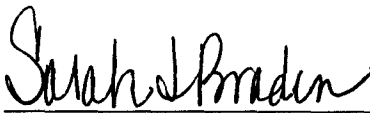
9. Further your affiant sayeth naught.



Taryn Stampfl Hart

SUBSCRIBED AND SWORN to before me this 3rd day of December, 2009.





Sarah J. Braden

CERTIFICATE OF SERVICE

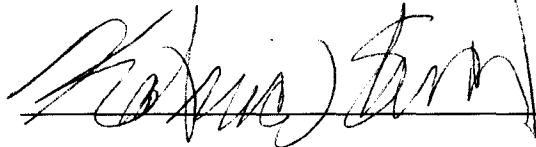
I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time and Affidavit in Support to be mailed to:

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401

MICHAEL B. HAYWORTH
Rosebud County Attorney
P.O. Box 69
Forsyth, MT 59327

WILLIAM A. PARRISH 3003602
Montana State Prison
700 Conley Lake Road
Deer Lodge, MT 59722

DATED: December 3, 2009

A handwritten signature in black ink, appearing to read "Robin J. Brown", is written over a horizontal line.